

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

May 2, 1974
1:00 P.M.Electric Auditorium
301 West Avenue

The meeting was called to order with Mayor Butler presiding.

Roll Call:

Present: Councilmen Binder, Dryden, Friedman, Handcox, Lebermann,
Mayor Butler, Mayor Pro Tem Love
Absent: None

The Invocation was delivered by CHAPLAIN ARTHUR R. ANDERSON, Austin Area Conference of Churches.

MUSIC WEEK

Mayor Butler read and presented a proclamation to Mrs. Doyle Moore and Mrs. Orville Wyss, representatives of the National Federation of Music Clubs, proclaiming the week of May 5-12, 1974, as "Music Week," urging the citizens to recognize the importance of music, musicians, and musical organizations to the cultural life of the City, State, and Nation.

SENIOR RECOGNITION MONTH

Mayor Butler read and then presented a proclamation to Mr. Alvin Burger and Mrs. Helen Smith proclaiming the month of May, 1974, as "Senior Recognition Month." Mr. Burger thanked the Council on behalf of all the Senior Citizens Groups in Austin and expressed his gratitude for the great work done by the Parks and Recreation Department in preparing the programs scheduled throughout the month. He noted that Mrs. Smith had the active direction of formulating these features. In conclusion he requested that everyone attend the formal reception opening the month on Monday, May 6, at the Driskill Hotel Crystal Ballroom from 2 to 4 p.m. Mrs. Smith distributed copies of the month's programs and urged the Council to attend any of them that they could.

FOSTER GRANDPARENTS DAY

Mayor Pro Tem Love read and then presented a proclamation to Mr. Leonard Foelker, Mrs. Lee Anna Smith, Mrs. Alice Bowser, Dr. Carley, and Dr. B. R. Walker proclaiming May 3, 1974, as "Foster Grandparents Day," and urged all residents to join the Council in applauding these selfless individuals. Mrs. Smith thanked the Council and accepted the proclamation with sincere gratitude on behalf of all Foster Grandparents.

BE KIND TO ANIMALS WEEK

Mayor Butler read and then presented a proclamation to Mr. John Davenport, representing the Humane Society, proclaiming the week of May 5-11, 1974, as "Be Kind to Animals Week." Mr. Davenport stated that the Humane Society was only one of a large number of organizations in the City interested in bettering the welfare of animals; and, on behalf of these organizations, he noted that they were extremely grateful to the Council for having issued this proclamation.

AUSTIN FAMILY YMCA WEEK

Mayor Butler read and then presented a proclamation to Mr. Richard LaPine, the new director of the YMCA, Ms. JoAnn Dye, Messrs. Bart Hodges, Stewart Norris, Fred Adams, and Phil Sanders proclaiming the week of May 6-12, 1974, as "Austin Family YMCA Week." Mr. Hodges thanked the Council and invited them to attend the YMCA.

APPROVAL OF MINUTES

Mayor Pro Tem Love moved that the Council approve the Special Meeting Minutes of April 25, 1974 (10:30 a.m.) and the Regular Meeting Minutes of April 25, 1974 (1:00 p.m.). The motion, seconded by Councilman Handcox, carried by the following vote:

Ayes: Mayor Butler, Mayor Pro Tem Love, Councilmen Binder, Dryden, Friedman, Handcox, Lebermann

Noes: None

PRESENTATION - EAST SIXTH STREET CONSERVATION SOCIETY

Mr. David Graeber, representing the East Sixth Street Conservation Society, appeared in reference to the report from the Urban Transportation Department concerning trolleys on East Sixth Street. It was his understanding that the report was to be completed on May 6 and scheduled for the agenda for May 16. He noted that the interest in this had been immense in all areas and the question was constantly being asked in connection with the beginning of the operation. He further added that it had been the unanimous opinion of all that the trolleys would make a vital and important impact on Austin. Therefore, to encourage the Council to give this its fullest consideration, he presented the Council with trolley car construction kits.

PRESENTATION - LAGUNA GLORIA'S ANNUAL FIESTA

Mrs. Alice Davis, Chairman of Laguna Gloria's Annual Fiesta, and Mrs. Harriet Nagel, Chairman Elect, appeared before Council in connection with the annual fund raising drive put on by the Women's Art Guild of the Laguna Gloria Art Museum. Mrs. Davis noted that the Fiesta '74 would be held on May 18 and 19. She invited everyone to attend to see an antirely new area called "Baha Fiesta," which would open three additional acres of room. She presented the Council with shopping bags containing sun visors, T-shirts, and complimentary tickets to the Fiesta.

ZONING HEARINGS

Mayor Butler announced that the Council would hear the zoning cases scheduled for public hearing at this time. Pursuant to published notice thereof, the following zoning applications were publicly heard:

STARK ROOFING COMPANY, INC. By Leroy Lange C14-74-033	Rear of 8231-8305 North Lamar Boulevard	From "A" Residence To "C" Commercial RECOMMENDED by the Planning Commission
--	---	--

Mayor Pro Tem Love moved that the Council grant "C" Commercial District as recommended by the Planning Commission. The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Mayor Pro Tem Love, Councilmen Binder, Dryden, Friedman,
Handcox, Lebermann, Mayor Butler'
Noes: None

The Mayor announced that the change had been granted to "C" Commercial District, and the City Attorney was instructed to draw the necessary ordinance to cover.

SAM ROBINSON By E. H. Smartt C14-74-039	8526-8542 Burnet Road	From Interim "A" Residence 1st Height and Area and "C" Commercial 1st Height and Area To "C" Commercial 1st Height and Area RECOMMENDED by the Planning Commission
---	-----------------------	---

Mayor Pro Tem Love moved that the Council grant "C" Commercial, 1st Height and Area District, as recommended by the Planning Commission. The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Councilmen Binder, Dryden, Friedman, Handcox, Lebermann,
Mayor Butler, Mayor Pro Tem Love
Noes: None

The Mayor announced that the change had been granted to "C" Commercial, 1st Height and Area District, and the City Attorney was instructed to draw the necessary ordinance to cover.

CLARENCE McCULLOUGH,	6008-6026 Manor Road	From "A" Residence
EARLE D. McCULLOUGH,	2819-2829 Wheless	To "GR" General Retail
GEORGE S. McCULLOUGH	Lane	RECOMMENDED by the Planning
AND PEARLE McCULLOUGH		Commission
C14-74-043		

In response to Councilman Binder's question, Mr. Dick Lillie, Director of the Planning Department, noted that there had been opposition to this to the extent that they did not want to expand zoning in the area other than what was already there. Mr. Lillie noted that the area had "C" adjacent to it and zoning around it, and added that it was at the intersection of two major streets. Councilman Dryden moved that the Council grant "GR" General Retail District, as recommended by the Planning Commission. The motion, seconded by Councilman Handcox, carried by the following vote:

Ayes: Councilmen Dryden, Friedman, Handcox, Lebermann, Mayor
Butler, Mayor Pro Tem Love, Councilman Binder
Noes: None

The Mayor announced that the change had been granted to "GR" General Retail District, and the City Attorney was instructed to draw the necessary ordinance to cover.

MRS. JAMES L. RICE AND	4205-4209 Marathon	From "A" Residence
EMELIA W. VICKLAND	Boulevard	To "O" Office
By Tom Curtis		RECOMMENDED by the Planning
C14-74-045		Commission

Mayor Pro Tem Love moved that the Council grant "O" Office District, as recommended by the Planning Commission. The motion, seconded by Councilman Lebermann, carried by the following vote:

Ayes: Councilmen Handcox, Lebermann, Mayor Butler, Mayor Pro Tem
Love, Councilmen Dryden, Friedman
Noes: Councilman Binder

The Mayor announced that the change had been granted to "O" Office District, and the City Attorney was instructed to draw the necessary ordinance to cover.

JACKSON T. AND MARY	901 Taulbee Lane	From "B" Residence
BAYLESS		To "C" Commercial
By Floyd Hill		RECOMMENDED by the Planning
C14-74-047		Commission

Councilman Dryden moved that the Council grant "C" Commercial District, as recommended by the Planning Commission. The motion, seconded by Councilman Lebermann, carried by the following vote:

Ayes: Councilman Lebermann, Mayor Butler, Mayor Pro Tem Love,
Councilmen Dryden, Handcox
Noes: Councilmen Binder, Friedman

The Mayor announced that the change had been granted to "C" Commercial District, and the City Attorney was instructed to draw the necessary ordinance to cover.

EARL O. FORESTER, ET UX 7314 Bennett Avenue
C14-74-030 919-923 Blackson
 Avenue

From "A" Residence
To "BB" Residence
RECOMMENDED by the Planning
Commission subject to 5'
of right-of-way on Blackson
Avenue and 5' of right-of-way
on Bennett Avenue; subject to
the land use in the St.
John's Neighborhood Develop-
ment Plan limiting the use
to triplexes and fourplexes.

Mayor Pro Tem Love moved that the Council grant "BB" Residence District, as recommended by the Planning Commission, subject to conditions. The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Mayor Butler, Mayor Pro Tem Love, Councilmen Dryden, Friedman,
Lebermann
Noes: Councilmen Binder, Handcox

The Mayor announced that the change had been granted to "BB" Residence District, and the City Attorney was instructed to draw the necessary ordinance to cover.

VICTOR MICHALENKO 1916 Justin Lane
By Robert H. Mohle 6901-6905 Hardy Drive
C14-74-035

From "A" Residence
To "O" Office
RECOMMENDED by the Planning
Commission, subject to
approximately 15' of right-
of-way on Justin Lane and
5' of right-of-way on Hardy
Drive.

Councilman Dryden moved that the Council grant "O" Office District, as recommended by the Planning Commission, subject to conditions. The motion, seconded by Councilman Lebermann, carried by the following vote:

Ayes: Mayor Pro Tem Love, Councilmen Binder, Dryden, Friedman,
Handcox, Lebermann, Mayor Butler
Noes: None

The Mayor announced that the change had been granted to "O" Office District, and the City Attorney was instructed to draw the necessary ordinance to cover.

MRS. NOVA E. KELLAM
An Estate
By Robert Girling
C14-74-036

1404 North Loop
Boulevard

From "A" Residence
To "O" Office
RECOMMENDED by the Planning
Commission, subject to 15'
of right-of-way on North
Loop Boulevard.

Councilman Lebermann moved that the Council grant "O" Office District, as recommended by the Planning Commission, subject to conditions. The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Councilmen Binder, Dryden, Friedman, Handcox, Lebermann,
Mayor Butler, Mayor Pro Tem Love
Noes: None

The Mayor announced that the change had been granted to "O" Office District, and the City Attorney was instructed to draw the necessary ordinance to cover.

ROBERT L. OGDEN
C14-74-038

1600-1602 West 5th
Street
500-502 West Lynn
Street

From "C" Commercial
2nd Height and Area
To "C-2" Commercial
2nd Height and Area
RECOMMENDED by the Planning
Commission, subject to 15'
of right-of-way on West Lynn
Street

Councilman Dryden moved that the Council grant "C-2" Commercial, 2nd Height and Area District, as recommended by the Planning Commission, subject to conditions. The motion, seconded by Mayor Pro Tem Love, carried by the following vote:

Ayes: Councilmen Dryden, Friedman, Handcox, Lebermann, Mayor
Butler, Mayor Pro Tem Love, Councilman Binder
Noes: None

The Mayor announced that the change had been granted to "C-2" Commercial, 2nd Height and Area District, and the City Attorney was instructed to draw the necessary ordinance to cover.

ERNEST W. COURTNEY, 936-942 East 51st
ET UX, CORINE RIEGER, Street
ROBERT LINDSEY, EBBA
MOORE, LOLA MOBLEY,
AND LILLIE MAE HOBBS
By Robert L. Davis
C14-74-050

From "A" Residence
To "B" Residence
RECOMMENDED by the Planning
Commission, subject to 15'
of right-of-way on East 51st
Street

Councilman Lebermann moved that the Council grant "B" Residence District, as recommended by the Planning Commission, subject to conditions. The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Councilmen Friedman, Handcox, Lebermann, Mayor Butler,
Mayor Pro Tem Love, Councilmen Binder, Dryden
Noes: None

The Mayor announced that the change has been granted to "B" Residence District, subject to conditions, and the City Attorney was instructed to draw the necessary ordinance to cover.

REPUBLIC NATIONAL 830-854 East
LIFE INSURANCE Anderson Lane
COMPANY
By John T. Jones, Jr.
C14-74-040

From "O" Office
2nd Height and Area
To "C" Commercial
3rd Height and Area and
"C" Commercial
2nd Height and Area
(as amended)
RECOMMENDED by the Planning
Commission as amended

There was discussion between Councilman Binder and Mr. Lillie as to how many feet the 3rd Height and Area would allow and the reasons for this being requested. Councilman Lebermann moved that the Council grant "C" Commercial, 3rd Height and Area District and "C" Commercial 2nd Height and Area District, as amended, as recommended by the Planning Commission. The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Councilmen Handcox, Lebermann, Mayor Butler, Mayor Pro Tem
Love, Councilmen Dryden, Friedman
Noes: Councilman Binder

The Mayor announced that the change had been granted to "C" Commercial, 3rd Height and Area District and "C" Commercial, 2nd Height and Area District, as amended, as recommended by the Planning Commission, and the City Attorney was instructed to draw the necessary ordinance to cover.

IZA M. WALLIN AND
ALLEN C. CLARK
By William T. Bray
C14-74-020

Rear of 5501-5511
North Lamar Boulevard
704-714 Nelray
Boulevard

From "A" Residence
To "GR" General Retail
(as amended)
RECOMMENDED by the Planning
Commission as amended subject
to a subdivision to identify
this property and dedication
of one-half the right-of-way
(5') to increase Nelray
Boulevard from 50' to 60'.

Mr. William Terry Bray, representing the applicant, noted that his client was selling the property and had contracted to do so. They discovered that inadvertently the rear portion of this lot had never been zoned, and added that there was a building on the lot which had been used for years for Austin Fireproof and Storage. He stated that the balance of the lot (about 300' by 350') was zoned "C" and that the rear 150' by 150' was still zoned "A" Residence. He noted that a problem was in existence because the structure was actually sitting partially on this 150' by 150' strip and that this building had been there for some time on "A" Residence. He added that the purchaser would desire to develop the property in a way that would be inconsistent with "A" Residence and would require a higher zoning. He noted that they applied for "C" Commercial on the basis that the surrounding property on their lot was "C" Commercial, and they desired to make this consistent.

He noted that they had been requested to reduce this to "GR" General Retail to provide a buffer for the "B" Residence across the street and the "O" Office to the rear. He stated that they had agreed to this and filed it and it had since been processed through the Planning Commission. He indicated that the architect for their purchaser was present and had various information concerning the proposed use and the problem he mentioned earlier. In response to Mayor Pro Tem Love's question, he stated that their purchaser was Roger Beasley, who had recently purchased the American Motors Corporation franchise, and was planning to locate that franchise to the north of the Austin Fireproof and Storage building. Mr. Bray noted that this would expand Mr. Beasley's use and take over the existing building, improving it in connection with the balance of the property for the location of his American Motors Corporation and possibly moving his jeep franchise there also. In response to Mayor Butler's question, Mr. Bray noted that the actual structure would be on a portion of the rear lot, and the balance would be paved for parking and storage.

Mr. Bob Gunn, 704 Franklin (directly to the south of this area), appeared and presented pictures of the existing building before demolition had begun. In reference to the statement made by Mr. Bray that this request was to bring the zoning into compliance with the existing zoning, Mr. Gunn did not believe this was the case. He noted that his objection was that this was a part of his residential area being converted to commercial.

Mr. John Van Winkle, the architect, noted that the building which had been shown in the pictures submitted to Council by Mr. Gunn was a scale and was being removed and that the building they were talking about was a 15,000-foot structure that overlapped 30 feet in the property. He reviewed the location of the proposed project by use of diagrams. He added that in addition to the existing condition, they proposed to add another 40 feet to the east end of the existing building which would bring their condition to 70 feet across the "A" Residence property.

In conclusion, Mr. Gunn filed a petition with his and one other signature in opposition to this zoning. Mr. Lillie noted that with only two signatures it was not likely that this would be 20% of the owners in the area. Councilman Lebermann moved that the Council grant "GR" General Retail District as amended, as recommended by the Planning Commission, subject to conditions. The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Councilman Lebermann, Mayor Butler, Mayor Pro Tem Love,
Councilmen Dryden, Friedman, Handcox
Noes: Councilman Binder

The Mayor announced that the change had been granted to "GR" General Retail District, subject to conditions, and the City Attorney was instructed to draw the necessary ordinance to cover.

EMILE JAMAIL, M. M.	8000 and Rear of 7700-	From Interim "A" Residence
BRINKLEY AND BILL	8000 U. S. Highway 290	1st Height and Area
R. BRINKLEY	East	To "O" Office
By Robert L. Davis	Rear of 2400-2448 Ed	1st Height and Area, Tract X
C14-74-251	Bluestein Boulevard,	"B" Residence
	also bounded by Old	1st Height and Area, Tract Y
	Cameron Road	excluding the northern 100';
		"BB" Residence 1st Height
		and Area on northern 100',
		Tract Y
		"BB" Residence
		1st Height and Area, Tract Z
		(as amended)
		RECOMMENDED by the Planning
		Commission as amended subject
		to subdivision to provide for
		streets (including major
		arterial)

Councilman Binder remarked that there had been some questions as to the entrance and exit from this tract and as to whether or not this would be allowing development somewhat intensively and in regard to whether or not this was predetermining what might happen in this area. In response to Councilman Binder's question, Mr. Lillie noted that these questions had been resolved and that a study had been conducted of about a 5000-acre area and noted that probably 60% of this lay outside the City limits. He stated that as they reviewed the development in the water sheds, they found that about 17% to 20% of the land was developed for medium-high density. When they applied that percentage to this total acreage, he indicated that they found that typically these intensive uses occurred along major arterial highways; and when they applied the 800 or 900 acres to this 5000-acre area, they found that this particular area would fall within the land that would typically develop intensively. Therefore, they requested of the Water and Wastewater Department, Urban Transportation Department, and others the ability of the City to serve if this tract were developed and found that it could be served with all utilities upon development with proper subdivision review and approval by the Planning Commission. They then notified the applicant and placed it on the Commission's agenda to delete the requirement for a master plan change because after the study they felt that they did not need it, and the City could handle the development as proposed.

Councilman Lebermann moved that the Council grant "O" Office, 1st Height and Area District on Tract X; "B" Residence, 1st Height and Area District on Tract Y, excluding the northern 100'; "BB" Residence, 1st Height and Area on the northern 100' of Tract Y; "BB" Residence, 1st Height and Area on Tract Z, as amended, subject to conditions. The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Mayor Butler, Mayor Pro Tem Love, Councilmen Binder, Dryden,
Friedman, Handcox, Lebermann
Noes: None

The Mayor announced that the change had been granted to "O" Office, 1st Height and Area District on Tract X; "B" Residence, 1st Height and Area District on Tract Y, excluding the northern 100'; "BB" Residence, 1st Height and Area District on the northern 100' of Tract Y; "BB" Residence, 1st Height and Area District on Tract Z, as amended, subject to conditions, and the City Attorney was instructed to draw the necessary ordinance to cover.

STEPHEN PATRICK
ANDERSON
C14-74-034

3909 Avenue C

From "A" Residence
1st Height and Area
To "B" Residence
2nd Height and Area
NOT Recommended by the
Planning Commission
RECOMMENDED "B" Residence
1st Height and Area

Councilman Handcox moved that the Council grant "B" Residence, 1st Height and Area District, as recommended by the Planning Commission. The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Mayor Pro Tem Love, Councilmen Dryden, Friedman, Handcox
Lebermann, Mayor Butler
Noes: Councilman Binder

The Mayor announced that the change had been granted to "B" Residence, 1st Height and Area District, as recommended by the Planning Commission, and the City Attorney was instructed to draw the necessary ordinance to cover.

AUSTIN SAVINGS AND
LOAN ASSOCIATION
By Charles B. Kreutz
C14-74-032

5309-5315 Jeff Davis
Avenue

From "A" Residence
To "C" Commercial
NOT Recommended by the
Planning Commission
RECOMMENDED "C" Commercial
except on the northern 25';
"B" Residence for the northern
25', subject to 5' of right-
of-way on Jeff Davis Avenue

Councilman Lebermann moved that the Council grant "C" Commercial except on the northern 25'; "B" Residence District for the northern 25', as recommended by the Planning Commission, subject to conditions. The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Councilmen Binder, Dryden, Friedman, Handcox, Lebermann,
Mayor Butler, Mayor Pro Tem Love

Noes: None

The Mayor announced that the change had been granted to "C" Commercial District except on the northern 25'; "B" Residence District for the northern 25', as recommended by the Planning Commission, subject to conditions, and the City Attorney was instructed to draw the necessary ordinance to cover.

BOB R. HOWERTON
C14-74-041

4605-4615 South
Congress Avenue
100-146 Sheraton
Avenue
4600-4604 Suburban
Avenue

From Interim "A" Residence
1st Height and Area
To "C" Commercial
6th Height and Area
NOT Recommended by the Plan-
ning Commission
RECOMMENDED "C" Commercial
6th Height and Area except
for the easternmost 25' of
the tract which is to re-
main "A" Residence, 1st
Height and Area, subject to
a 6' privacy fence along
the eastern property line

Councilman Lebermann moved that the Council grant "C" Commercial, 6th Height and Area District, except for the easternmost 25' of the tract which is to remain "A" Residence, 1st Height and Area District, subject to conditions. The motion, seconded by Councilman Handcox, carried by the following vote:

Ayes: Councilmen Dryden, Friedman, Handcox, Lebermann, Mayor
Butler, Mayor Pro Tem Love, Councilman Binder

Noes: None

The Mayor announced that the change had been granted to "C" Commercial, 6th Height and Area District, except for the easternmost 25' of the tract which is to remain "A" Residence, 1st Height and Area District, subject to conditions, and the City Attorney was instructed to draw the necessary ordinance to cover.

AUSTIN GROUP LIMITED
A partnership of the
architectural firm of
Taniguchi, Shefelman,
Vackar, and Minter
C814-74-006

1708 Rockmoor Avenue
3704-3720 Bridle Path
3703-3715 Cherry Lane
1701-1713 Scenic
Drive

From "A" Residence
To a Planned Unit Development
22 attached single-family
dwelling units with common
open space called "Walsh
Hollow" (as amended)
RECOMMENDED by the Planning
Commission as amended

Mr. Thomas Shefelman, representing the architectural firm, reviewed the project, noting that it was single-family ownership homes in the \$70,000 to \$80,000 bracket, each having enclosed two-car garages and private outdoor spaces. He stated that the challenge was very much that it was a special site with unique features and that there needed to remain in large intact areas certain unique features of the site, one of which was the large wooded valley which gave the project its name and open space that they would keep as common area for another group of units immediately adjacent. In addition, there was a lake view screened by bluff and trees from the rest of Scenic Drive. In reviewing the project, he noted that five of the homes would share a common drive off of Bridle Path, and the remainder would share a drive entering from Bridle Path and exiting onto Rockmoor with no vehicular access from Scenic Drive. He further added that the density of this 3.78 acres as designed by the firm would permit 5.86 living units per acre. In response to Councilman Lebermann's question, he noted that the original density had been 24 units. He stated that the planning technique they had used was that instead of spacing the units uniformly they pulled them together into four clusters, and in so doing they would keep big swatches of open space undisturbed.

He indicated that throughout the project they had maintained contact with neighbors and people in the area, and the reactions had been favorable. In conclusion he noted that there had been a number of changes throughout the project in density and the location of guest parking because of the concern of the neighbors.

Mrs. Gordon B. Cooper, resident at the corner of Bridle Path and Rockmoor, noted that the proposed development would have an entrance at the lower portion of two hills. She discussed the blind spots in the area and the increase in traffic flow, on which she based her opposition.

Ms. Abercrombie, resident directly across from the proposed development, was in agreement with the traffic problem. She also mentioned an apartment complex being built and wondered what effect this would have on the congestion.

Ms. Jan Hunter, representing her grandfather, Mr. Roger L. Hunter, resident at 3702 Bonnie Road, felt that more density in the area would hurt the property value. When asked by Mayor Butler what type of development she would prefer, she wanted it to remain as it was.

Mrs. Janet Taylor, owner of property adjacent to the proposed development, felt that it was completely unrealistic to think that the property would not be developed in one way or another, and felt that this would be putting the land to its highest and best use. She was afraid there might be another duplex complex built in that area and felt that in a development of this nature there would be more stable people; and judging from the projected prices for the units, she felt that there would be mainly elderly people buying these homes.

In regard to the traffic problem, she felt that with the cooperation of the City the traffic problem would be minimal compared to what it might be if other uses were to be made of this land.

Councilman Dryden moved that the Council grant the change to a Planned Unit Development as amended, as recommended by the Planning Commission. The motion, seconded by Councilman Lebermann, carried by the following vote:

Ayes: Councilman Lebermann, Mayor Butler, Mayor Pro Tem Love,
Councilmen Binder, Dryden, Friedman, Handcox
Noes: None

The Mayor announced that the change had been granted to a Planned Unit Development, and the City Attorney was instructed to draw the necessary ordinance to cover.

ZONINGS DENIED

MESA STECK PROPERTIES, 8141 Mesa Drive
INC.
By C. B. Carpenter
C14-74-031

From "LR" Local Retail
To "GR" General Retail
NOT Recommended by the
Planning Commission

Mr. Charles Carpenter, owner of the property, noted that this property was purchased to develop; and most of the property between Spicewood and Steck would be developed for some type of commercial use or apartment use. He stated that his need for this particular property was that he wanted to build a restaurant which would require beer with the food, in that he would be serving pizza. He added that he would have a buffer on each end of this property which would be approximately 500 to 600 feet each direction before getting into any residential property and to the south there would be about 1500 feet.

After giving the applicant the opportunity to avail himself of the privilege of withdrawing this application, Councilman Lebermann moved that the zoning be denied. The motion, seconded by Councilman Binder, carried by the following vote:

Ayes: Councilmen Friedman, Handcox, Lebermann, Mayor Butler,
Mayor Pro Tem Love, Councilmen Binder, Dryden
Noes: None

The Mayor announced that the change had been DENIED.

JUNE E. RICHARDSON, 8302 Bowling Green
M.D. Drive
C14-74-037

From "A" Residence
To "B" Residence
NOT Recommended by the
Planning Commission

Mr. Lillie noted that this lot was to be used as a parking lot with the lot on the corner of Burnet Road and was to be fenced with no access to Bowling Green Drive. He further noted that this did have a number of conditions. Councilman Lebermann moved that the zoning change be denied. The motion, seconded by Councilman Binder, carried by the following vote:

Ayes: Councilmen Handcox, Lebermann, Mayor Pro Tem Love,
Councilmen Binder, Friedman
Noes: Councilman Dryden
Not in Council Chamber when roll was called: Mayor Butler

The Mayor announced that the change had been DENIED.

ZONINGS WITHDRAWN

G. R. MITCHELL	4401-4403 Avenue D	From "A" Residence
HEIRS ESTATE	104-106 West 44th	To "B" Residence
By Joe Milner, Jr.	Street	RECOMMENDED by the Planning
C14-74-044		Commission

It was noted that a letter had been received from the proponents requesting that this item be withdrawn. Councilman Dryden moved that the Council grant the request to withdraw. The motion, seconded by Councilman Lebermann, carried by the following vote:

Ayes: Councilmen Friedman, Handcox, Lebermann, Mayor Butler,
Mayor Pro Tem Love, Councilmen Binder, Dryden
Noes: None

FRED EBY, JR.	4000 Mt. Bonnell	From "A" Residence
By Robert H. Judd	Drive	To a Planned Unit Development
C814-74-002		162 attached single-family
		dwelling units with recrea-
		tional building, tennis
		courts and swimming pools
		called "Williamsport" (as
		amended)
		NOT Recommended by the
		Planning Commission

It was noted that a letter had been received from the owner and the applicant requesting that this item be withdrawn. Mayor Pro Tem Love moved that the Council grant the request to withdraw this zoning change. The motion, seconded by Councilman Friedman, carried by the following vote:

Ayes: Mayor Butler, Mayor Pro Tem Love, Councilmen Binder,
Dryden, Friedman, Handcox, Lebermann
Noes: None

Applications which are recommended for DISMISSAL - no action has been taken by applicant to complete conditions during allocated time:

Councilman Lebermann moved that the Council DISMISS the following zoning change:

UNIVERSITY VILLAGE, LTD. 701-713 West 24th
By J. B. Hightower Street
C14-73-155 2304-2310 Rio Grande
Street

From "C" Commercial
2nd Height and Area
To "C-2" Commercial
2nd Height and Area

The motion, seconded by Councilman Binder, carried by the following vote:

Ayes: Mayor Pro Tem Love, Councilmen Binder, Dryden, Friedman,
Handcox, Lebermann, Mayor Butler
Noes: None

Applications which are recommended for ninety-day EXTENSIONS -
conditions are in the process of completion:

Councilman Lebermann moved that the Council EXTEND the following zoning changes for 90 days:

CHARLES C. ALLISON
DVM AND C. R.
GILSTRAP
By Terry J. Sasser
C14-73-141

1800 Stassney Lane
(as amended)

From Interim "A" Residence
1st Height and Area
To "O" Office
1st Height and Area
(as amended)

CULLERS AND NUTTER,
INC.
By Edgar James
C14-73-167

3715 Manchaca Road
also bounded by the
planned extension of
Valley View Road

From "A" Residence
To "B" Residence - Tract 1
"O" Office - Tract 2

EARL PODOLNICK,
ET UX
By John H. Akin
C14-73-171

600-702 Nelray
Boulevard
5412-5414 Guadalupe
Street

From "A" Residence
To "O" Office

NOELINE S. HARRIS,
TRUSTEE
By Edward Jennings
C14-73-195

5401-5427 South
Congress Avenue
1101-1111 Mockingbird
Lane
5400-5424 Wasson
Road

From Interim "A" Residence
1st Height and Area
To "C" Commercial
1st Height and Area

CARL V. SHOOTER
C14-68-187

1915 and 2000 Garden
Street
64-68-1/2 and 71-73
Lynn Street

From "C" Commercial
To "A" Residence

MRS. LOUISE F. BOYER
By Robert L. Davis
C14-73-161

Northeast corner of
Rutland Drive and the
T&NO Railroad

From Interim "A" Residence
1st Height and Area
To "D" Industrial
1st Height and Area

ST. ANDREWS PRESBYTERIAN CHURCH By John Jones C14-73-165	2009-2017 Koenig Lane 1909 Ullrich Drive 5800-5808 Laird Drive	From "A" Residence To "LR" Local Retail, Tract 1 "O" Office, Tract 2
EDWARD R. RATHGEBER, JR., ET AL By Tom Curtis C14-73-172	Bounded by South First Street, the planned extension of William Cannon Drive, Bill Hughes Road, South Meadows Subdivision and Wilma Drive	From "A" Residence To "GR" General Retail (as amended)
MRS. E. R. YOUNGBLOOD AND MRS. EDNA J. DUFFY By Robert L. Davis C14-73-173	1901-1925 and rear of 2001-2045 South I.H. 35 and also bounded by Matagorda Street and the planned Mariposa Drive	From "A" Residence To "O" Office (as amended)
RALPH BALLARD By Bern Ballard C14-73-197	2804-2806 and rear of 2802 South First Street	From "A" Residence and "GR" General Retail To "LR" Local Retail
AUSTEX DEVELOPMENT COMPANY, LTD. By Louis Kirchofer, Jr. C14-73-199	5300 Block of West- gage Boulevard	From Interim "A" Residence 1st Height and Area To "BB" Residence 1st Height and Area
TOM BRADFIELD, ET AL. By W. T. Carson C14-73-205	2833-2937 Barton Skyway	From Interim "A" Residence 1st Height and Area To "BB" Residence 1st Height and Area

The motion, seconded by Councilman Binder, carried by the following vote:

Ayes: Mayor Pro Tem Love, Councilmen Binder, Dryden, Friedman,
Handcox, Lebermann, Mayor Butler
Noes: None

ANNEXATION HEARING SET

Mayor Pro Tem Love moved that the Council adopt a resolution setting a public hearing at 1:00 p.m. on May 23, 1974, to consider annexing the following:

1. Total of 18.05 acres of land:

- a. 12.33 acres of land out of the WILKENS ON SPARKS SURVEY. (Portions of LOTS 41 and 42, LAKE SHORE ADDITION, and unplatted land.) Requested by the owner.

- b. 5.72 acres of land out of the WILKINSON SPARKS SURVEY. (Portions of LOTS 43 through 54, LAKE SHORE ADDITION, portion of WEST LAKE DRIVE and unplatted land.) Initiated by City.
- 2. Total of 138.80 acres of land:
 - a. 1.47 acres of land out of the JAMES ROGERS SURVEY. (BALCONES WOODS, SECTION TWO-A.) Requested by owner's representative.
 - b. 137.33 acres of land out of the JAMES ROGERS SURVEY. (Unplatted land.) Initiated by the City.
- 3. Total of 284.72 acres of land:
 - a. 90.20 acres of land out of the J. C. TANNEHILL LEAGUE. (Unplatted land and portions of ED BLUESTEIN BOULEVARD, the Missouri, Kansas and Texas Railroad and the Houston and Texas Central Railroad.) Initiated by the City.
 - b. 194.52 acres of land out of the J. C. TANNEHILL LEAGUE. (Colorado Esst, unplatted land and portions of ED BLUESTEIN BOULEVARD, LEVANDER LOOP, GARDNER ROAD, TRACY LYNN ROAD, EAST LESLIE CIRCLE and BRET LANE.) Initiated by the City.
- 4. 65.59 acres of land out of the JOHN APPELGAIT SURVEY. (Unplatted land.) Initiated by City.

The motion, seconded by Councilman Binder, carried by the following vote:

Ayes: Councilmen Binder, Dryden, Friedman, Handcox, Lebermann,
Mayor Butler, Mayor Pro Tem Love
Noes: None

RELEASE OF EASEMENT

Councilman Friedman moved that the Council adopt a resolution authorizing release of the following easement:

Two (2) sanitary sewer easements five (5.00) feet in width protruding into LOT A of the CENTRAL INSURANCE ADDITION.
(Requested by Mr. B. F. Priest, Registered Public Surveyor, as agent for Mr. James Raper, owner.)

The motion, seconded by Councilman Lebermann, carried by the following vote:

Ayes: Councilmen Dryden, Friedman, Handcox, Lebermann, Mayor
Butler, Mayor Pro Tem Love, Councilman Binder
Noes: None

LICENSE AGREEMENTS

The Council had before it for consideration the following license agreements:

1. MR. FRANK G. NEWMAN - Permitting encroachment of structural columns and foundations of apartment buildings into a drainage easement of varying width in the west portion of LOT 2, BLOCK A, TOWNLAKE PLAZA, a subdivision. (Requested by Bob G. Wade, Architect, as agent for Frank G. Newman, owner.)

Mr. Martin Boozer, Jr., representing the applicant, appeared requesting a two-week postponement in order that they might consider other alternatives. He noted that they had been meeting with various departments and hoped that this matter could be resolved.

2. AUSTEX DEVELOPMENT CO., LTD. - Permitting encroachment by wooden-deck patios cantilevered over portions of a drainage and public utilities easement fifty (50.00) feet in width in the rear of LOTS 6, 9, 10, 11, 13 and 14, BLOCK N, FIRST RESUBDIVISION OF BLOCK N, QUAIL CREEK, PHASE 2, SECTION 3. (Requested by Nash Phillips-Copus Company as agent for Austex Development Company, Ltd., owner.)

Mr. Homer Reed, Deputy City Manager, noted that the staff was preparing a proposed policy statement concerning drainage easements. It was Councilman Lebermann's feeling that the City needed this general policy statement relating to the City's reluctance to permit drainage easements in general to be used for construction as adequate land otherwise.

Councilman Lebermann moved that the Council postpone action on the afore-mentioned license agreements until May 16, 1974. The motion, seconded by Mayor Pro Tem Love, carried by the following vote:

Ayes: Councilmen Friedman, Handcox, Lebermann, Mayor Butler,
Mayor Pro Tem Love, Councilmen Binder, Dryden
Noes: None

AGREEMENT FOR STUDIES AND EVALUATION

The Council had before it for consideration a Memorandum of Agreement for studies and evaluation regarding South Texas Project II, consisting of the City of Austin, Lower Colorado River Authority, Central Power and Light, Houston Lighting and Power, and City Public Service Board. Mr. R. L. Hancock, Director of the Electric Department, reviewed this noting that it would be a preliminary agreement between those parties currently considering participation in a new jointly-owned nuclear project to address the energy needs in the South Texas general service area from Austin to the Rio Grande River area for the period 1983 to 1985. He added that this agreement would anticipate the establishment of a management committee to direct the activities of the project

manager and would anticipate the City Public Service in San Antonio as functioning as project manager and would anticipate certain engineering and site studies associated with the determination of the plant site. He stated that it would further anticipate some preliminary expenses with respect to A.E.C. requirements and miscellaneous engineering requirements in order to determine the plant site and environmental aspects associated with the plant and a variety of associated engineering assessments that would be needed and would anticipate development of specifications for the nuclear steam system but would not anticipate the award of that steam system. He noted that the agreement would "die a natural death" in June, 1975; and added that the participants in the agreement would have the option of withdrawing from the agreement at any time; and in the event any of the participants were to withdraw, the monies expended by the withdrawing participant would be refunded by the project.

In response to Councilman Friedman's question, Mr. Hancock stated that Austin would have to make a determination by the time the agreement expired; and if the determination were not forthcoming, Austin would withdraw from the project. In response to Councilman Lebermann's comment that Austin was in a rather unique position as a municipally-owned utility, Mr. Hancock felt there was no financial risk in participating in this project at this time and felt that the greatest risk would be to decline to participate and not have input and not have space available in the event Austin determined later it was the most attractive course for the City to take. In response to Councilman Lebermann's question with regard to San Antonio's managing the project, Mr. Hancock noted that City Public Service in San Antonio had good technical staff resources and would have the advantage of having participated in some other technical aspects of the South Texas Project I as part of the training procedure. In response to Mayor Pro Tem Love's question, Mr. Hancock noted that the funds were future generation allocations as enumerated in the Capital Improvements Program and added that the \$440,000 would not be required at this time. In response to Councilman Binder's questions, Mr. Hancock stated that Austin would be responsible for 20% of the cost; and the input would be determined in the course of events that would follow in the development of this project, with each potential participant indicating the amount of capability it would like to get out of the project. He added that the cost under the Memorandum of Agreement would be adjusted in accordance with the prorated participants in the project once a firm commitment was made. In reference to Councilman Lebermann's comment, Mr. Hancock felt that unless there were a drastic change in load patterns and economic posture of the South Texas area, the need for additional generation capacity would be obvious and to some entities this would be more attractive than to others. He added that nuclear still promised to be the most economic source of energy for consumers and the most attractive environmentally. He indicated that he would like to look at this summer's system performance demandwise before Austin projected its demand requirements for this particular time bracket and added that there would be a number of factors that would be present that had previously been, such as the input of the full picture with respect to coal and the availability of the coal and the logistics of getting as much coal out of the ground and to the consumer as it would appear to be required.

Councilman Friedman asked if the City was doing anything to join any other organization or benefit from any other work being done in alternative sources such as solar. Mr. Hancock noted that the City had not done work in this area; however, he added that there was a major organization of electrical

utilities who were doing considerable funding in the area of solar and gasification and geothermal; and felt that this information needed to be gathered to see about Austin's meeting its responsibilities in those areas. With regard to this, Councilman Friedman felt that getting involved was the least Austin owed to its citizens. Mr. Hancock pointed out that the City had been in contact with a number of groups at the University who were doing work in these areas and research groups in Austin doing solar work and had been in contact with these people and had furnished them information on Austin's equipment. In accordance with Mayor Butler's statement that this type of project would be so immense that no one city could undertake it on its own, Mr. Hancock noted that federal budgeting for solar research through 1975 would be \$1.8 billion. In response to Mayor Butler's question as to when the latest engineering or scientific estimate as to when solar power might be commercially feasible, Mr. Hancock did not believe there had been any serious estimates made on this but thought there might be studies underway to determine the feasibility of residential heating. He estimated that this could be done in the very late 80's. There was discussion between Councilman Binder and Mr. Hancock with regard to the recycling of wastes and the gasification of solid waste to provide a source of fuel for boilers.

Dr. G. Barrie Kitto suggested that the Energy Study Commission be reactivated or that a permanent Energy Study Commission be set out so that Austin could study the full range of options of future electrical demands for Austin. He felt that this was pertinent with respect to new developments outside the City such as the proposed "Wilding" development. In conclusion, he requested that along with the consideration of this agreement this Commission be appointed or reactivated. Mayor Butler announced that the Council-appointed Energy Conservation Committee was still in being and had been in "limbo" waiting for a time like this to begin work.

Councilman Lebermann moved that the Council adopt a resolution authorizing the Memorandum of Agreement for studies and evaluation regarding the South Texas Project II. The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Councilmen Handcox, Lebermann, Mayor Butler, Councilmen Dryden, Friedman

Noes: Councilmen Binder

Not in Council Chamber when roll was called: Mayor Pro Tem Love

CONTRACTS AWARDED

Councilman Friedman moved that the Council adopt a resolution awarding the following contracts:

Bid Award:	- Automotive/Equipment Parts and Supplies
THE WALTER TIPS COMPANY	- Item Nos. 1, 2, 4, 6, 8-11, 16-18,
P. O. Box 848	23, 25-32, 35 (Champion), 36, 40,
Austin, Texas	41, 43, 44, 47 and 50 - \$45,000.00

AUSTIN MACHINE AND GRINDING
COMPANY
201 East First Street
Austin, Texas

- Item Nos. 5, 7, 12, 14, 15, 19,
21, 39, 45, 46 (Anco) and 48 -
\$16,000.00

ALLIED SALES COMPANY
5001 East Fifth Street
Austin, Texas

- Item Nos. 13, 24, 34, 35 (Motor-
craft), 37, and 42 - \$18,000.00

The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Councilman Lebermann, Mayor Butler, Councilmen Binder,
Dryden, Friedman, Handcox

Noes: None

Not in Council Chamber when roll was called: Mayor Pro Tem Love

Councilman Friedman moved that the Council adopt a resolution author-
izing the following contract:

H. B. ZACHRY COMPANY
General Contractor
West Harding Boulevard
San Antonio, Texas

- Prefabricated Steel Building (4,000
square feet) for use as a storage
warehouse at Holly Power Plant,
Electric Utility Department -
\$16,000.00

The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Councilman Lebermann, Mayor Butler, Councilmen Binder,
Dryden, Friedman, Handcox

Noes: None

Not in Council Chamber when roll was called: Mayor Pro Tem Love

Councilman Friedman moved that the Council adopt a resolution author-
izing the following contract:

ATLANTIC RICHFIELD COMPANY
P. O. Box 2411
Houston, Texas

- Turbine Oil #S-150, for Steam
Turbines Nos. 1 and 3 at Holly
Power Plant, Electric Utility
Department - \$5,330.00 (subject
to escalation)

The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Councilman Lebermann, Mayor Butler, Councilmen Binder,
Dryden, Friedman, Handcox

Noes: None

Not in Council Chamber when roll was called: Mayor Pro Tem Love

Councilman Friedman moved that the Council adopt a resolution authorizing the following contract:

WESTINGHOUSE ELECTRIC
CORPORATION
P. O. Box 146
Pittsburgh, Pennsylvania

- Repair of broken turbine blades,
Unit #1 Holly Power Plant -
\$6,165.18

Councilman Lebermann was curious as to whether or not the City was having an undue amount of difficulty with its Westinghouse equipment with regard to blade crackings. In response to this, Mr. R. L. Hancock noted that Westinghouse was having a considerable amount of problems with turbine blades throughout the nation and that General Electric was having problems with their equipment also. He indicated that these blades were 14 years old and were cracked and added that Westinghouse's problems with blades were associated with 16-inch blades and that these were 28-inch. The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Councilman Lebermann, Mayor Butler, Councilmen Binder,
Dryden, Friedman, Handcox

Noes: None

Not in Council Chamber when roll was called: Mayor Pro Tem Love

Councilman Friedman moved that the Council adopt a resolution authorizing the following contract:

ROYAL SEATING CORPORATION
1110 Industrial Boulevard
Cameron, Texas

- Public seating for new Council
Chamber, Construction Engineering
Department - Item 1 - \$5,856.50.

The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Councilman Lebermann, Mayor Butler, Councilmen Binder,
Dryden, Friedman, Handcox

Noes: None

Not in Council Chamber when roll was called: Mayor Pro Tem Love

TEMPORARY CLOSING OF STREETS

Mayor Pro Tem Love moved that the Council adopt a resolution temporarily closing the following street:

Temporarily closing the 2000 block of Whitis Avenue from
West 20th to West 21st Streets from 6:00 p.m. to 1:00 a.m.
on May 3, 1974, for a street party to encourage student
participation in the May 4, 1974, primary.

The motion, seconded by Councilman Friedman, carried by the following vote:

Ayes: Mayor Butler, Mayor Pro Tem Love, Councilmen Binder, Dryden,
Friedman, Handcox, Lebermann

Noes: None

Mayor Pro Tem Love moved that the Council adopt a resolution temporarily closing the following street:

Temporarily closing the 100 block of San Marco Street between East First Street and East Second Street from 12:00 noon to 1:00 a.m. on May 5, 1974, for a Centro Chicano street dance.

The motion, seconded by Councilman Friedman, carried by the following vote:

Ayes: Mayor Butler, Mayor Pro Tem Love, Councilmen Binder, Dryden, Friedman, Handcox, Lebermann
Noes: None

AUTHORIZATION OF CONDEMNATION

Mayor Pro Tem Love moved that the Council adopt a resolution authorizing condemnation of 0.094 of one acre of land out of Lot 2, Laneport (521 West Anderson Lane), for a pedestrian overpass over U. S. 183. The motion, seconded by Councilman Friedman, carried by the following vote:

Ayes: Mayor Pro Tem Love, Councilmen Binder, Dryden, Friedman, Handcox, Lebermann, Mayor Butler
Noes: None

AUTHORIZATION OF GRANT

Councilman Friedman moved that the Council adopt a resolution authorizing the City Manager to accept a grant in the amount of \$10,096.00 under the Comprehensive Planning Assistance Program authorized by Section 701 of the Housing Act of 1974. The motion, seconded by Councilman Lebermann, carried by the following vote:

Ayes: Councilmen Binder, Dryden, Friedman, Handcox, Lebermann, Mayor Butler, Mayor Pro Tem Love
Noes: None

SCHEDULE CHANGES TO TRANSIT SYSTEM

Councilman Friedman moved that the Council authorize schedule changes to the Austin Transit System as follows: (10:00 a.m.)

<u>Schedule</u>	<u>Origin</u>
6:05 a.m.	East First and Pleasant Valley
6:00 a.m.	Fifth and Pleasant Valley
5:40 a.m.	12th and Chicon
5:55 a.m.	Rosewood and Chicon
5:40 a.m.	7th and Webberville Road
6:00 a.m.	19th and Chicon
5:55 a.m.	Chicon and Manor

<u>Schedule</u>	<u>Termination</u>
10:12 p.m.	Santos and Vargas
10:10 p.m.	Gardner and Lotus
10:25 p.m.	Springdale and Bandera
10:07 p.m.	Lott and Prock
10:20 p.m.	Springdale and Munson
10:15 p.m.	Craigwood and Little Hill
10:12 p.m.	Manor and Loyola
9:55 p.m.	1. H. 35 and Airport

The motion, seconded by Councilman Lebermann, carried by the following vote:

Ayes: Councilmen Dryden, Friedman, Handcox, Lebermann, Mayor Butler,
Mayor Pro Tem Love, Councilman Binder
Noes: None

REQUEST FOR CITY-OWNED SURPLUS EQUIPMENT

Mr. Bill Henry, Chief of Travis County Emergency Unit, had requested to appear before the City Council in regard to a request for City-owned surplus equipment. Mr. Homer Reed, Deputy City Manager, noted that the staff had reviewed this request and was prepared to recommend it; however, he added that this was Civil Defense equipment and suggested that the request be granted on a lease basis with a nominal lease payment. Mayor Pro Tem Love moved that the Council grant the request on a lease basis. Mr. Reed took this opportunity to note that this was a fine organization and was proud to see the equipment utilized in this way. The motion, seconded by Councilman Handcox, carried by the following vote:

Ayes: Councilmen Friedman, Handcox, Lebermann, Mayor Butler,
Mayor Pro Tem Love, Councilmen Binder, Dryden
Noes: None

REQUEST FOR TRAFFIC CONTROL DEVICES

Mrs. Beverly Montgomery, representing the North Austin Civic Association, appeared before Council to discuss traffic control devices for the Parkfield and Quail Park intersection. She stated that they felt that this was an extremely hazardous situation and detrimental to their children's lives. She reviewed the problem by use of maps and noted that their main concern was getting the children across Parkfield and added that the police had been more than cooperative and had given every assistance possible. She noted that when they did not send radar, there would be a patrol unit to discourage speeders; and at their request, there was a survey done in an unmarked car which showed a little less than 20% speeding in a period of 30 minutes over 30 miles an hour in a 30-mile speed zone. Because she felt that they had exhausted all areas of approach, they were before the Council requesting relief. She indicated that as the summer was approaching and as the neighborhood was increasing in population, their concern was growing because there was no way a child could safely cross without some assistance. Some of the situations which they felt contributed to this problem of speeding were:

1. The fact that Parkfield is extremely wide for a residential neighborhood (60 feet wide - 5 lanes).
2. The topography of the street - the crosswalk is at the south base of a steep incline and at the north around a blind curve.

She submitted pictures to Council of the area in reference. In response to Mayor Pro Tem Love's question as to whether or not they were requesting four-way stop signs, she stated that they were open to suggestion and had exhausted all other communications.

Ms. Beverly Kennedy, resident in the 9200 block of Parkfield, spoke in reference to the traffic problem and reviewed this by use of a film of "Parkfield in action."

Deputy City Manager Reed noted that traffic engineers had found that traffic control devices improperly utilized or at least utilized where not justified by the traffic flow caused more accidents than they prevented. He added that a very intense study had been made of this location in order to determine how the best traffic control devices could be used.

Mr. Allen R. Brecher, Assistant Director for Traffic Engineering of the Urban Transportation Department, noted that the latest traffic count of this intersection showed a daily total of 5,400 vehicles passed through the intersection (86% on Parkfield and the remaining 14% on Quail Park). He added that there was a crossing guard assigned at this intersection during school crossing periods. In connection with the sight distance problem for northbound Parkfield, he stated that an on-sight study of the location had been made and found that there was in excess of 300 feet of sight distance for a vehicle which would be adequate for complete stopping at 45 miles an hour. With this information in mind, he commented that the staff felt the existing control was adequate and added that there had been one reported accident in the last 12-month period; and he felt that previous history indicated that when there was this disproportionate amount of traffic, upon the installation of four-way signs there would be the increase in the possibility of accidents.

There was discussion among the Council as to how the installation of traffic devices could encourage more accidents. Mr. Reed stated that traffic control devices did not necessarily cause accidents; however, from the statistics when a four-way were utilized when traffic was not fairly evenly balanced, people on the primary street after a period of time would just be likely to go through the sign, which would cause accidents.

Ms. Mary Tomasek, 10506 Cooper Hill Drive, relayed an incident that had occurred at Parkfield and Rutland where there were 30 children waiting to cross at the four-way stop; and she had parked her car diagonally in the intersection to allow the children to cross and had been knocked down by a car in the process. She did not believe a four-way stop would be sufficient. In response to Mayor Pro Tem Love's question as to what she felt would be the recommended alternative, she did not know the answer.

After discussion, Councilman Dryden moved that the Council instruct that four-way stop signs be installed for the intersection at Parkfield and Quail Park. The motion, seconded by Councilman Friedman, carried by the following vote:

Ayes: Councilmen Handcox, Lebermann, Mayor Butler, Mayor Pro Tem Love, Councilmen Binder, Dryden, Friedman
Noes: None

AMBULANCE RATES ORDINANCE

Mayor Butler brought up the following ordinance for its second reading:

AN ORDINANCE GRANTING AN INCREASE IN THE AMBULANCE RATES TO AUSTIN TRANSPORTATION COMPANY, INC.; AND SUSPENDING THE RULE REQUIRING THE READING OF AN ORDINANCE ON THREE SEPARATE DAYS.

The ordinance was read the second time, and Mayor Pro Tem Love moved that the Council waive the requirement for the third reading, declare an emergency and finally pass the ordinance effective immediately. The motion, seconded by Councilman Dryden, carried by the following vote: (ambulance rates for transfer and other non-emergency ambulance services)

Ayes: Councilman Lebermann, Mayor Butler, Mayor Pro Tem Love, Councilmen Dryden, Handcox
Noes: Councilman Friedman
Not in Council Chamber when roll was called: Councilman Binder

The Mayor announced that the ordinance had been finally passed.

REFUND CONTRACTS

Mayor Butler brought up the following ordinance for its second reading:

AN ORDINANCE AUTHORIZING THE CITY MANAGER OR THE DEPUTY CITY MANAGER TO ENTER INTO CERTAIN REFUND CONTRACTS WITH ROBERT OGDEN AND JESS WEBB, AND JOHN McPHAIL; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY. (Austin Highlands, Section 2; Hillside Oaks Subdivision)

The ordinance was read the second time, and Mayor Pro Tem Love moved that the Council waive the requirement for the third reading, declare an emergency and finally pass the ordinance effective immediately. The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Mayor Butler, Mayor Pro Tem Love, Councilmen Dryden, Handcox, Lebermann
Noes: Councilman Friedman
Not in Council Chamber when roll was called: Councilman Binder

The Mayor announced that the ordinance had been finally passed.

APPROACH MAIN CONTRACT

Mayor Butler brought up the following ordinance for its second reading:

AN ORDINANCE AUTHORIZING THE CITY MANAGER OR THE DEPUTY CITY MANAGER TO ENTER INTO A CERTAIN REFUND CONTRACT WITH JOHN McPHAIL; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY. (Hillside Oaks Subdivision)

The ordinance was read the second time, and Councilman Dryden moved that the Council waive the requirement for the third reading, declare an emergency and finally pass the ordinance effective immediately. The motion, seconded by Councilman Handcox, carried by the following vote:

Ayes: Mayor Pro Tem Love, Councilmen Dryden, Handcox, Lebermann,
Mayor Butler

Noes: Councilman Friedman

Not in Council Chamber when roll was called: Councilman Binder

The Mayor announced that the ordinance had been finally passed.

ZONING ORDINANCE

Mayor Butler introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND CHANGING THE USE MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:
LOT 6, AND THE WEST THREE FEET OF LOT 7, BLOCK "L," GEORGIA ACRES SUBDIVISION, LOCALLY KNOWN AS 608-700 MIDDLE LANE AND 9200-9210 INTERSTATE HIGHWAY 35, FROM "A" RESIDENCE DISTRICT TO "GR" GENERAL RETAIL DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY. (Truman Montandon, C14-73-101)

Mayor Pro Tem Love moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance effective immediately. The motion, seconded by Councilman Friedman, carried by the following vote:

Ayes: Councilmen Dryden, Friedman, Handcox, Lebermann, Mayor
Butler, Mayor Pro Tem Love

Noes: None

Not in Council Chamber when roll was called: Councilman Binder

The Mayor announced that the ordinance had been finally passed.

BRACKENRIDGE HOSPITAL RESIDENCY REQUIREMENTS

It was noted that revisions to the Brackenridge Hospital Social Services Clinic procedures were now before the Council for action. Deputy City Manager Reed stated that the requested action would include the following:

1. Place in proper legal terminology and confirm action of Council in approving City Manager's report of April 4, 1974, on this subject dealing with residency requirements for charity care at Brackenridge Hospital. This would eliminate the durational residency requirement and would retain the requirement that residency be confirmed.
2. Incorporate in the Brackenridge Procedures Manual the provisions of the State law concerning consent to medical treatment for minors.
3. Establish administrative review procedure for appeal from denial of applications for charity care.

Councilman Friedman moved that the Council adopt a resolution approving the revisions to the Brackenridge Hospital Social Services Clinic procedures manual. The motion, seconded by Councilman Lebermann, carried by the following vote:

Ayes: Councilmen Friedman, Handcox, Lebermann, Mayor Butler

Noes: None

Not in Council Chamber when roll was called: Mayor Pro Tem Love, Councilmen Binder, Dryden

CONTRACT WITH CEDAR PARK WATER SUPPLY CORPORATION

It was noted that the proposed amendment to the contract with Cedar Park Water Supply Corporation that was discussed on April 25, 1974, was now before Council for consideration. Deputy City Manager Reed stated that this proposed contract would provide for the City to provide Cedar Park with 50 gallons per minute of water for a period of one year and would contain the provision that the Corporation would assign to Austin a \$10,000 Certificate of Deposit payable if they were not ready to completely disconnect from the City's system on April 30, 1975. Mr. Curtis Johnson, Director of Water and Wastewater, noted that under the original contract the provision was made for 50 gallons per minute; and as their growth picked up in the area, some additional water was furnished until approximately 100 gallons per minute was being furnished. In response to Councilman Friedman's question as to whether or not 50 gallons per minute would be sufficient, Mr. Johnson noted that Cedar Park Water Supply had drilled wells on their own to supplement their supply; and it was his understanding that the Corporation felt that this was sufficient and could sell water to anyone in their city limits.

There was discussion among the Council as to whether or not the terms of the proposed contract were stringent enough. In regard to this, Mr. Reed noted that the previous amendment to this contract did have the provision indicating that the Corporation could not add any new customers to their

system during the period of the contract other than those already under construction and added that this provision had been deleted from the contract under consideration, noting that the only leverage was the \$10,000 Certificate of Deposit.

Motion

Councilman Lebermann moved the acceptance of this newly renegotiated contract with the amendment proviso that the excluded clause mentioned by Mr. Reed (no new customers) be included. The motion was seconded by Mayor Pro Tem Love.

There was further discussion among Council in regard to the terms of the contract. Mr. Reed noted that the staff that had met with Mr. Tom Curtis, Cedar Park Water Supply Corporation, felt that the Corporation had firmly committed itself to developing its own source of supply and added that any larger provision in the contract could be passed by Council, if so desired.

Mr. Curtis spoke with respect to the \$10,000 that had been forfeited to the City indicating that it was their hope that down the line the ten individuals who had signed the note for the \$10,000 might get reimbursed for this. He added that the new \$10,000 was not Cedar Park Water Supply money because it was a note of that Company co-signed by 10 individuals. He stated that in dealing with the City's staff it had been pointed out that the directors of the district were most intent on deleting the portion of the contract dealing with its inability to hook up someone within Cedar Park's city limits. He added that prior to the meeting with the staff, the Board at Cedar Park held a meeting in which they voted that should this clause be retained in the contract, they would rather attempt to get additional water with their own wells. Because he felt they had been locked in by dealing with the staff, he requested a delay on any decision, so that he might speak with the Corporation.

Amendment to Motion

After discussion, Councilman Lebermann moved that the Council postpone action on the renegotiated contract until May 9, 1974, with the understanding that the terms of the contract would be upheld so that the Corporation would have the option of either cutting off the water or not being able to connect any new customers in the city's limits. The motion, seconded by Mayor Pro Tem Love, carried by the following vote:

Ayes: Councilmen Friedman, Handcox, Lebermann, Mayor Butler,
Mayor Pro Tem Love, Councilmen Binder, Dryden
Noes: None

NAMING OF UNIVERSITY HILLS PARK

Councilman Friedman moved that the Council select as the name of the new University Hills Park the "Dottie Jordan Park." The motion, seconded by Councilman Lebermann, carried by the following vote:

Ayes: Councilmen Handcox, Lebermann, Mayor Butler, Mayor Pro Tem
Love, Councilmen Binder, Dryden, Friedman
Noes: None

The Mayor announced that the Council would meet in Executive Session at this time.

The Council reconvened in open session and Councilman Handcox moved that the Council appoint the Capital Area Consortium Executive Committee as follows:

Ed Washmon	- Office Manager, Texas Employment Commission
Claude C. Mathis	- Consultant, Technical Assistance Division of Adult & Continuing Education, Texas Employment Agency
Van Vahrenkamp	- Office Manager, Austin Chamber of Commerce
Andrea Beatty	- Director, Personnel Department, City of Austin
W. W. McFarland	- Regional Director, Texas Rehabilitation Commission
Andrew Ramirez	- Director, Manpower Training Division, City of Austin
Tom Mayes	- Austin Council of Community Affairs
Charles E. Wright, Sr.	- Secretary-Treasurer Laborers International Union of North America Local 790 AFL-CIO
Marcel Rocha	- Chairman, Mexican-American Chamber of Commerce; Member, Model Cities Commission

The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Mayor Butler, Mayor Pro Tem Love, Councilmen Binder, Dryden,
Friedman, Handcox

Noes: None

Not in Council Chamber when roll was called: Councilman Lebermann

ADJOURNMENT

The Council adjourned at 5:05 p.m.

APPROVED


Mayor

ATTEST:


City Clerk